

**THE HOUSE COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON INTELLIGENCE, INFORMATION SHARING AND TERRORISM RISK ASSESSMENT
HEARING, "THE RESILIENT HOMELAND: HOW DHS INTELLIGENCE SHOULD EMPOWER AMERICA
TO PREPARE FOR, PREVENT, AND WITHSTAND TERRORIST ATTACKS"
THURSDAY, MAY 15, 2008 10:00AM**

**TESTIMONY OF R.P. EDDY,
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Chairman, members of the Committee, my sincere thanks for inviting me to speak with you today.

Our Federal Government learned some of the wrong lessons from 9/11.

That morning we all looked to the skies for the Air Force F-16's and we looked to Washington to protect us. The main thrust of federal effort since then answered that call: troops were deployed overseas, funding for the CIA and NSA was greatly increased, and the FBI has begun to focus more on counterterrorism. But state and local police, when considered, were considered only as the "first responders" of terrorism. They were funded to be -- in effect -- the clean-up crew to remediate our communities after the terrorists launched a successful attack.

This focus and funding -- on federal forces and not local police, on international intelligence and not internal awareness -- is wise *only* if our enemies are outside our borders and we can stop them before they get in. But our reality is much more complicated, and much more dangerous. Our next 9/11 is as likely to be from terrorists already *within* our borders as is it to be from terrorists overseas who plot to penetrate our nation.

Terrorism everywhere is increasingly homegrown. The trend line is unmistakable: it runs from the 2002 Bali nightclub bombings, to the 2003 attacks in Casablanca and Istanbul, through the 2005 subway bombings in London and to the foiled plans to bomb jumbo-jets flying from London to the US in 2006. But we need not look only overseas for examples of the local threat. Consider this partial list of U.S. locales in which terrorist activities have been disrupted in the last five years: Lackawanna NY, Bly OR, Lodi CA, Torrance CA, Iredell County NC, Miami FL, Toledo OH and Syracuse NY. In each of these incidents, and in dozens of other smaller ones, the perpetrators were not infiltrators. They were residents, citizens, neighbors-next-door. They had all the necessary IDs and excuses. They didn't have to blend in; they *were* in.

Of course we do still face a threat from international terrorists seeking to hit us at home, a-la 9/11. In these instances as well, state and local law enforcement are the critical line of defense. Recall that two of the 9/11 hijackers were pulled over by local police on routine traffic stops and released. These terrorists lived in our towns, ate at our restaurants, and studied at our schools for many months. It is much more likely that the nation's 730,000 local police officers -- with years on the beat and connections with all aspects of the community -- and not the perhaps 2,500 FBI agents dedicated to domestic counterterrorism, or other federal forces, will have the situational awareness to identify and locate terrorists already in our midst.

Soon after 9/11, the NYPD realized they had to tackle prevention on their own. They asked me and the Manhattan Institute to build them a small think-tank to support them as they ramped up their counterterrorism capabilities. NYPD wasn't getting the Federal support necessary to detect and defeat terrorists then, and most police forces still aren't now.

Since our start with NYPD, The Center for Policing Terrorism at the Manhattan Institute for Policy Research (CPT) has expanded to become involved with other agencies such as the Los Angeles Police Department and the New Jersey State Police. CPT's focus is to advocate to and enable core police departments to become "first preventers" and to adopt the practice of "intelligence led policing."

CPT is supported entirely by private philanthropy. Our donors, who span the political spectrum, have enabled CPT to fill gaps in public funding, gaps that I believe should not exist.

I hope to bring to you today an *invested* understanding of what needs to be done to prevent terrorism in our nation. By invested I mean: my donors, my colleagues, and I have put our money where our collective mouth is. I am not an academic promoting theories or a contractor looking for support. I have the honor of representing a small group of dedicated citizens who have sought federal leadership and federal funding, and when we found both lacking we went and created the solutions on our own, with our own dollars.

I humbly suggest three categories of solution – all with minimal budget impact – in which Congress can build resiliency and improve our overall counterterrorism posture, while also strengthening the capacity of our state and local police against the entire range of hazards.

1. Support National Counterterrorism Academies

CPT is proud to have partnered with LAPD to begin building the National Counter-Terrorism Academy (NCTA), funded by the Ahmanson Foundation and the State of California. NCTA already has 60 students from more than 27 public agencies and private sector companies throughout the states of California and Nevada. Topics of instruction include homegrown radicalization, methods for interdicting terrorism finance and case studies of significant terrorism plots presented by the investigators themselves.¹

Over the next year, the Academy will expand its course offerings, seek additional funding and grow to eventually include four components: a bricks-and-mortar location in Los Angeles; a virtual, or online, academy; a digital library; and mobile academic teams. Under the LAPD's guidance and Chief Bratton's leadership, a small staff of professionals will develop curricula, manage operations and outsource the instruction to the best and brightest.

The Academy will augment and serve as a focal point for existing federal training programs and strengthen the intellectual body of homeland security knowledge by adding the critical perspective of local agencies. The training will be tailored to the needs of the up and coming leaders in state and local agencies and their counterparts in the public safety and private security fields.

¹ Manhattan Institute, *Manhattan Institute and LAPD Unveil Counter-Terrorism Academy for State and Local Cops*, Press Release, March 10, 2008.

NCTA does not compete with existing institutions like FLETC. Rather it offers a first-rate, dedicated option for police leaders to become evangelists and trainers of first prevention and intelligence-led policing doctrine.

In just a few months of operation, NCTA has already proven to be such a success that we are eager to expand the model across the nation. CPT is already underway in discussions to partner with the New Jersey State Police to build a sister academy on the East Coast. We are happy to note that the Bureau of Justice Assistance was heavily represented in these discussions. This academy will scale from the LA academy and draw on the same virtual library, training teams, and other key assets of the NCTA.

Though the NCTA academy is teaching nearly 30 public agencies the skills they need to prevent and respond to terrorism, as well as many other hazards, proposals for modest levels of federal funding have not been accepted. To fully fund three full years of NCTA operation, teaching hundreds of police and private leaders in a train-the-trainers model, injecting intelligence-led policing and first preventers practices into hundreds of departments, and establishing the premier online library of written materials and videotaped lectures available to police across the nations will cost less than \$4,000,000.

DHS should fund NCTA and its East Coast counterpart in 2009.

2. Support Intelligence-led Policing and Foreign Liaison Officers

Looking at the intelligence picture through the reality of the homegrown threat, we need to shift our paradigm from believing we have to solve for simply how to get intel and training *from* DHS (or other Federal entities) *to* state and locals, and instead recognize most of the intelligence relevant to state and locals simply is not being collected federally. There are not huge buckets full of magic intelligence sitting in federal SCIFS that will solve all the puzzles of big city police.

It has become a well-worn criticism that there is very little tasking in federal collection towards things useful to state and locals, and that the sharing of what does exist is pitiful. And while Federal organization, tasking and sharing certainly needs to be fixed, we also must learn three simple things:

1. *A vast array of useful intelligence for CT and many other crimes is in our communities.* Generally homegrown threats will only be detected in the communities where they are plotted and to be launched, but even most foreign-borne plots will demand that terrorists spend real time attempting to integrate into the fabric of our communities. This is intelligence that will come from close connections with the communities and the establishment of situational awareness in the way only our hometown police can do.
2. *Police are simply the best entity suited to collect this intelligence.* Our hugely decentralize police system (the US has over 17,000 police departments) ensures police come *from* the communities, they have the community access and generally the community trust to find this information. Local entities also generally have broader legal allowances to investigate crimes and assess risk in their communities. And then there are the numbers: there are, of course, 730,000 police in this nation

but perhaps less than 2,500 FBI agents focusing on domestic counterterrorism². No federal entity has the exposure, the insight, the tools, let alone the breadth to collect local threat information

3. *But, while Police are best suited to collect this critical intelligence, most simply are not collecting.*

That is to say, we miss much of the need (versus the homegrown terror threat at least) when we think we simply need to grease the skids of information downhill. It is as critical for DHS to help police collect the intelligence that exists in their communities as it is for DHS to share intelligence with police.

After the success of community led policing and COMPSTAT, the next major innovation in policing is upon us. Intelligence-led policing is the ultimate addition of strategy to counterterrorism and fighting crime. It is conceptually simple: police departments should create intelligence opportunities and use the outcomes to direct their limited resources. A tiny number of US police departments have intelligence capacities; the vast majority does not. Though we need to be mindful of the past abuses by some police departments in the 1960's, today's police departments are vastly different organizations, and intelligence gathering must be integrated into police work, and not just for counterterrorism.

ILP can be applied to virtually every public safety challenge police face. Having a firm understanding of a challenge, in real time, improves decision-making and produces better results. Resiliency begins with the way we think about problems and deal with mental adversity. Enhancing local intelligence capabilities will allow us to achieve exactly that.

Fusion centers hold tremendous promise. Though they exist in every state, many lack real strategy on how to share intelligence across, up and down. Fusion centers also offer a perfect vessel to push the necessity and tactics of Intelligence-led policing to their client police departments, but again many are not resourced to do so.

At the strategic level DHS should begin to preach the value of intelligence-led policing, and at the user level, institute a pilot plan via the fusion centers to teach intelligence-led policing to local police departments.

Intelligence-led policing and First Preventers doctrine transforms police departments into proactive counterterrorism agencies. Not only will they continue to thwart dozens of terrorist incidents, this posture will deter untold potential homegrown terrorists as it will create a hostile environment for violent extremists. Much as the Broken Windows theory created by George Kelling and James Q. Wilson and implemented by Chief Bratton revolutionized crime fighting, so too will these tools revolutionize the nation's fight against terrorists.

Although controversial for the FBI and State, police should take intelligence collection to the international level. NYPD's international liaison program is a well known success. The NYPD officers stationed with foreign counterparts in major overseas metropolitan police departments have built NYPD's knowledge networks and best practices³ immensely. These relationships inform NYPD's thinking not only on counterterrorism, but also on fighting crime and other hazards.

² Federal Law Enforcement Statistics, US Department of Justice, Office of Justice Programs Bureau of Justice Statistics. Available at <http://www.ojp.usdoj.gov/bjs/lawenf.htm> [accessed 5/9/2008].

³ Kelling, George L., and Bratton, William J. *Policing Terrorism*. Civic Bulletin, No. 43, September 2006, page 6.

We were very pleased to see this committee propose the concept of a Foreign Liaison Officers Against Terrorism (FLOAT) Program as part of the LEAPS legislation. Since 2003, we have proposed a program much like FLOAT, in which 5-10 major city police departments would each assign one officer overseas to liaison relationships with foreign police departments. Ideally each city would send an experienced officer to an area they know well. LA could send an officer of Indonesian heritage to Jakarta, Miami could send a Colombian-American to Bogota, Detroit could send an Arab-American to Cairo, etc. These officers would embed with the local police to collect information on counterterrorism.

The regular reporting from the liaison officers would then be pooled to the intelligence apparatus of all participating police departments, and others.

I won't get into a detailed defense here of why police need their own international liaison relationships, but suffice it to say, the current reporting back from FBI and State generally does not make it to police. When it does, it is obvious these departments are curious about very different lessons and learnings than the locals. Instead of being seen as adversarial, federal agencies should see the police liaison presence as a compliment to federal activities which can also provide real-time threat reporting to their local agencies.⁴

As this initiative has not made progress at the Federal level, CPT leadership is endeavoring to launch a FLOAT program funded by the local police and donor dollars. Presuming the police departments will continue to pay the salary and benefits of the officers, we estimate the cost for housing and travel and other incidentals to be less than \$100,000 per year per officer. We will also arrange to create and house the fusion hub that will task, collect and distribute the liaison reports. NCTA, discussed above, is an obvious home to serve as the hub to disseminate FLOAT reports throughout the police community.

Again, there is an obvious Federal role here and we urge the committee to fund international police liaisons.

3. Support Strategic Resource Allocation

Local police agencies are the most knowledgeable resource when it comes to their own critical assets. While many states and localities have done impressive work understanding and cataloguing critical assets and key resources in their jurisdictions, there is a stark lack of uniformity in terms, methodologies and fundamental approaches. We believe that this ultimately hinders the ability of national level decision makers to make risk-based resource allocation decisions, since there is not a baseline for comparing assets across jurisdictions.

We believe that a common approach for evaluating critical infrastructure should be mandated on state and local agencies. There is good news here. The LAPD, in partnership with DHS has developed Operation Archangel, a robust methodology and information technology system for evaluating and protecting critical infrastructure. Archangel was created to utilize cooperation and coordination across departments as well as public and private sectors to facilitate the strategic application and management of information

⁴ LEAP Proposal, page 10.

and resources to prevent, deter, mitigate, and respond to an attack.⁵ It is well thought out and vetted and could be easily and cheaply incorporated around the country.

Resiliency comes from First Preventers and Intelligence-led policing

The focus of your hearing today, a resilient homeland -- cities and towns that can return to stability after a disaster -- relies on numerous layers of prevention and response preparation. But it is important to realize that we cannot begin to consider true resiliency until we know the 730,000 local police are recruited to the cause.

When CPT goes to police leadership across the nations to help them build prevention capacities, we find many police departments to be nearly tabula rasa when it comes to counterterrorism. This is not to say they are not eager to be involved with CT, rather most police departments -- particularly in major cities -- are already very overburdened and under-resourced. If they don't see a clear and present terrorism danger to their city, it is hard to convince elected officials or their staff to shift their limited resources from fighting crime to counterterrorism.

But we have had success and can be successful elsewhere for two reasons:

1. Police leaders quickly realize that the "First Preventers" curricula and intelligence-led policing helps police and their local partners not just with CT, but against "all hazards," and
2. These concepts resonate with the highly successful proactive policing models such as COMPSTAT of the 1990's.

Most agree the Londoners were resilient to the 7/7 subway bombings because of the long English history with terrorism and even cultural memories of WWII. We should not presume to think we can change American mindsets, but a process of empowerment and knowledge sharing is, of course, key to reducing panic in the event of an attack.

Local police departments are not just the crux of public safety in over 17,000 communities, but they are also the public servants most integrated with the populace. By offering police insights and the ability to proactively understand and pre-empt terrorism, we are in fact injecting this confidence into our communities.

I would counsel that while we work hard to adopt the goals of resiliency into nearly everything related to counterterrorism, we also realize that sometimes resiliency will not be an option. Some attack scenarios, including some we judge as highly likely in the medium term, are so horrific that the only real strategic alternative is prevention.

I close by noting that I propose these initiatives not as a theoretician, but as a representative of a group of citizens that have since soon after 9/11 found aspects of federal leadership in domestic counterterrorism lacking so have been funding and enacting, on our own, solutions to support our best hope for a secure homeland: our local police.

⁵ Los Angeles Police Department, *Operation Archangel*.

http://www.lapdonline.org/emergency_services_division/content_basic_view/33044 [accessed 4/7/2008]